

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RONALD WAYNE COOLEY,

Petitioner,

No. CIV S-05-0870 FCD DAD P

vs.

ROSANNE CAMPBELL, et al.,

Respondents.

ORDER

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Petitioner is a state prisoner proceeding pro se with a petition for a writ of habeas corpus. On November 4, 2005, respondent filed an answer to the petition, and on February 2, 2006, petitioner filed a traverse, together with a motion for a stay and abeyance. On April 19, 2006, the court denied petitioner's motion for stay abeyance without prejudice to filing a renewed motion that showed good cause for his failure to discover and exhaust each of his new claims prior to filing this action. Subsequently, petitioner filed a renewed motion for stay and abeyance, which respondent has opposed.

Petitioner has since filed a motion asking the court to proceed on his exhausted claims and lift any stay in this action. In light of petitioner's more recent filing and good cause appearing, the court will deny petitioner's renewed motion for stay and abeyance as moot and grant petitioner's motion to proceed on his exhausted claims.

